

REMARKS/ARGUMENTS

Please cancel non-elected claims 7-20. Therefore, as of this paper, claims 1-6 are in the case and are presented for Examiner Del Sole's consideration. Applicants specifically reserve the right to seek patent protection for non-elected subject matter by divisional application.

Pursuant to 37 C.F.R. § 1.116, reconsideration of the present application in view of the foregoing amendments and following remarks is respectfully requested.

Claim Rejection, nonstatutory double patenting

By way of the sections numbered 2-5 of the Office Action mailed May 23, 2006, Examiner Del Sole rejected claims 1-6 on the ground of obviousness-type double patenting over U.S. Patent No. 6,579,084 to Cook, variously in view of U.S. Patent Nos. 5,145,689 to Allen et al. and 5,679,042 to Varona, and over U.S. Patent No. 6,579,084 to Cook in view of either of U.S. Patent Nos. 5,145,689 to Allen et al. and 5,679,042 to Varona further in view of any of U.S. Patent Nos. 5,601,773 to Schmidt et al.; 4,322,202 to Martinez; and 3,878,992 to MacManus.

Applicants in their paper filed September 24, 2006 requested that the double patenting rejection be held in abeyance until the presence of allowable subject matter was indicated. In an Advisory Action mailed October 10, 2006, Examiner Del Sole indicated that Applicants' paper filed September 24, 2006 had overcome the 35 U.S.C. §102 and §103 rejections. However, the nonstatutory double patenting rejection over U.S. Patent No. 6,579,084 to Cook remains. Applicants submit herewith a terminal disclaimer made by Kimberly-Clark Worldwide, Inc., the assignee of the current application and the assignee of U.S. Patent No. 6,579,084 to Cook, in order to overcome the obviousness-type double patenting rejection.

Appl. No. 10/743,860
Response dated October 20, 2006
Reply to Advisory Action of October 10, 2006

Therefore, Applicants believe no unresolved issues remain and respectfully submit that all of the current claims are in form for allowance. Examiner Del Sole is invited and encouraged to contact the undersigned at his convenience should he have any questions regarding this matter, or if he should require any additional information.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: 770-587-8908.

Respectfully submitted,
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CERTIFICATE OF TRANSMISSION

I, Robert A. Ambrose, hereby certify that on October 20, 2006, this document is being transmitted to the United States Patent and Trademark Office Electronic Filing System EFS-WEB.

By: /Robert A. Ambrose/
Robert A. Ambrose